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Attorneys for Plaintiff LANCE WAIDZUNAS, *et al.*,
individually and on behalf of all others similarly situated

U UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

The NVIDIA GPU Litigation

Case No. C 08-04312 JW

**WAIDZUNAS PLAINTIFFS’
STATEMENT CONCERNING
CONSOLIDATION**

Date: n/a
Time: n/a
Court: Courtroom 8, 4th Floor
Judge: The Honorable James Ware

Plaintiffs in the *Waidzunas* case (“Plaintiffs”) respectfully submit this statement concerning the scope of consolidation of those cases involving defendant Hewlett-Packard Company (“HP”), further to the discussions with the Court during the Case Management Conference held on February 23, 2009.

Plaintiffs hereby consent to consolidation of all of the above-captioned actions for all

1 purposes. Consistent with the discussions with the Court during the Case Management
2 Conference held on February 23, 2009, Plaintiffs reserve the right to later seek by motion a
3 bifurcated trial for the subclass of purchasers of computers manufactured by HP.¹

4 DATED: March 2, 2009

Respectfully submitted,

5 **ROTHKEN LAW FIRM**

6 By: /s/ Ira P. Rothken
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28 ¹ Contrary to the suggestion of other counsel during the conference, plaintiffs' counsel in the
Waidzunas case had never previously agreed to consolidation of the HP-oriented cases for all
purposes.